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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,736	11/16/2000	James P. Allen	AUS9-2000-0567-US1	9503

7590 09/27/2004

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EXAMINER

STULBERGER, CAS P

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,736

Applicant(s)

ALLEN ET AL.

Examiner

Cas Stulberger

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 4-6, 11-13, 18-20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 8, 9, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S Patent No. 5,978,379 to Chan et al.

3. In regards to claims 1, 8, and 15, Chan discloses a half bridge and bridge for a Fibre Channel. The half bridge includes transmit and receive ports implementing predetermined switching and conflict resolution rules and a memory storing a forwarding table. Typically the switching rules are implemented using state machines. The stat machines implement a switching protocol that controls transitions between states which control switching connections, writing of data to memory and reading of data from memory, and preemption of conflicting OPN primitives (Chan: Abstract). This meets the limitation of “memory accessible by the processors.” After a the transfer of data to a node is completed a close primitive is sent which causes the node to relinquish control of the loop (Chan: column 2, lines 22-27). This meets the limitation of “a quasi-open state.” An open primitive is transmitted to a node, whose address is specified by the primitive (Chan: column 2, lines 13-17). This meets the limitation of “transitioning to an open state in response to receiving the activation request.”

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4. In regards to claims 2, 9, and 16, Chan discloses that after the open primitive is received a ready primitive is returned to the source node (Chan: column 2, lines 17-22). This meets the limitation of "sending an activated response to the requesting device."

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 7, 10, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,978,379 to Chan et al as applied to claims 1, 2, 8, 9, 15, and 16 above, and further in view of U.S. Patent No. 6,138,161, to Reynolds et al.

7. In regards to claims 3, 7, 10, 14, and 17, Chan however does not disclose "wherein the transitioning is in response to the requesting device being authenticated."

8. Reynolds discloses that authentication occurs every time a link goes down and then later comes back up (Reynolds: column 3, lines 34-47). This meets the limitation of "wherein the transitioning is in response to the requesting device being authenticated."

9. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of a half bridge and bridge for a Fibre Channel as disclosed by Chan with the method of authentication of a node as disclosed by Reynolds in order to verify the communication link between the target device and initiator (Reynolds: column 6, lines 20-26).

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Allowable Subject Matter

10. Claims 4-6, 11-13, 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

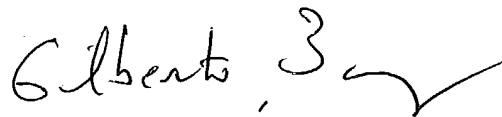
Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (703) 305-8034. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 5:00P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CS


GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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